HONOURABLE MS. JUSTICE G.ROHINI.

WRIT PETITION No.30347 OF 1998

Dated 16-03-2007

Between:

Sangineedi Nagendra Prasad, son of Sree Ramulu, aged 42 years, Karumurivari Street, Palakol, West Godavari District.

…Petitioner.

And:

The Commissioner, Palakol Municipality, Palakol, West Godavari District and others.

…Respondents.

ORDER:

The petitioner, who claims to be the owner of the land to an extent of Ac.1.99 cents and Ac.0.23 cents situated in R.S.Nos.176/1 and 175/1 of Palakol, West Godavari District, filed this writ petition aggrieved by the alleged action of the respondent-Municipality in trying to dispossess the petitioner and his family members from the land in question and allegedly trying to cut and remove the coconut and Banana Trees standing on the said land, without following the due process of law.

This Court, while directing Rule nisi on 03-11-1998 granted interim direction not to interfere with the possession of the petitioner's land in question. The said order continued to be in operation throughout and no counter affidavit has been filed by any of the respondents opposing the prayer in the writ petition.

Having regard to the facts and circumstances of the case and in the absence of any counter-affidavit by the respondents disputing the ownership and possession of the petitioner, I deem it appropriate to dispose of the writ petition with direction to the respondents not to interfere with the possession and enjoyment of the petitioner's property in question in any manner what-so-ever without following due process of law.

Accordingly, the writ petition is disposed of. No order as to costs.

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Justice G.ROHINI

Dated 16-03-2007

Dvs

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